

**WILLIAMSBURG PLANNING COMMISSION
MINUTES
Wednesday, May 15, 2002**

The regular monthly meeting of the Williamsburg Planning Commission was held on Wednesday, May 15, 2002, at 3:30 p.m. in the Council Chambers at the Stryker Building.

CALL TO ORDER and ATTENDANCE

Chairman Davis called the meeting to order. Present in addition to Mrs. Davis were Commissioners Scruggs, Smith, Freiling, Hertzler, and Friend. Absent was Planning Commissioner Young. Also present were Planning Director Nester, City Attorney Phillips and Secretary Scott. Zoning Administrator Murphy was absent.

MINUTES

Mr. Scruggs moved that the minutes of the April 17 regular meeting be approved with a minor change. Mr. Freiling seconded the motion, which carried by roll call vote of 6-0.

CONSENT AGENDA

Mr. Scruggs moved that the case on the consent agenda, **SPR #09-02** be approved as submitted. Mrs. Smith seconded the motion, which carried by roll call vote of 5-0-1.

SPR #09-02: Colonial Williamsburg Foundation, 101 Visitor Center Drive – 253-space employee parking lot.

Recorded vote on the motion:

| | |
|----------|---|
| Aye: | Smith, Scruggs, Hertzler, Friend, Davis |
| No: | None |
| Abstain: | Freiling |
| Absent: | Young |

PUBLIC HEARINGS

PCR #05-02: Request of Williamsburg Christian Academy, 309 Waltz Farm Drive, for a one-year time extension until June 30, 2003 on a special use permit that allows two 24'x40' classroom trailers (one classroom each) and two 24'x66' classroom trailers (three classrooms each). The present special use permit expires on June 30, 2002. This property is zoned RS-2 Single Family Dwelling District. The Commission recommended approval by a vote of 6-0.

Mr. Nester reviewed the memorandum dated May 2, 2002 in which the previous five requests for a special use permit were detailed. The Academy is requesting a one-year time extension until June 30, 2003 to allow for the completion of its new building on Rochambeau Drive in James City County.

Chairman Davis called for questions from the Commission.

Mr. Scruggs asked about the advertisement process the Special Use Permits. Mr. Nester responded that the requests were advertised as required and the Planning Department did not receive any comments from adjacent property owners.

Chairman Davis opened the public hearing.

There being no comment the public hearing was closed.

Mr. Scruggs moved that Planning Commission recommend to City Council that the Williamsburg Christian Academy be granted a one-year time extension until June 30, 2003 on a special use permit that allows two 24'x40' classroom trailers (one classroom each) and two 24'x66' classroom trailers (three classrooms each). Mr. Freiling stated that although he will vote in favor of this request, he is concerned with continual deadline setting and the misconception the practice may encourage. He said that special use permit time extensions may or may not be possible to approve, and his concern is that extensions may be taken for granted. Mr. Scruggs concurred with Mr. Freiling, but noted that every special use permit request needs to stand on its own and if it is repetitive, as long as it is treated the same, there should not be a precedent set.

Mr. Friend seconded the motion, which carried by roll call vote of 6-0.

Recorded vote on the motion:

| | |
|---------|---|
| Aye: | Smith, Freiling, Scruggs, Hertzler, Friend, Davis |
| No: | None |
| Absent: | Young |

Mrs. Davis wished the Academy good weather and speedy approval from James City County's site plan review process.

PCR #07-02: Amendment of Chapter 21, Zoning, of the Williamsburg City Code, Article VI, Signs, Sec. 21-750(d), Illumination. It is proposed to eliminate the provision that allows the Architectural Review Board to approve the outlining of trees and shrubbery with miniature white lights outside of the time this display is allowed for seasonal decorations (Thanksgiving through January 2). The Commission recommended approval by a vote of 6-0.

Mr. Nester presented the proposed amendment to the sign regulations in the Zoning Ordinance. He noted that included in the Commission's information packet is a letter from Architectural Review Board Chairman, Hugh Williams, in which the Board requests that Planning Commission recommend to City Council that the Zoning Ordinance provisions allowing miniature lights on trees and shrubbery be removed. Mr. Williams stated that the ARB notes that the lights are not consistent with the *Design Review*

Guidelines and if Council prefers they be allowed year-round, that they be allowed by right rather than requiring ARB review.

Chairman Davis opened the public hearing.

There being no comment the public hearing was closed.

Mr. Scruggs moved that Planning Commission recommend to City Council that the sign regulations in the Zoning Ordinance be amended to remove the provisions allowing the outlining of trees and shrubbery with miniature lights after the holiday season. The reason for the recommendation is that the current provisions of the Zoning Ordinance do not comply with the *Design Review Guidelines* adopted by the Architectural Review Board.

Mr. Freiling seconded the motion which carried by roll call vote of 6-0.

Mrs. Smith asked if this regulation applies to residences, and Mr. Nester answered that residences and Bed and Breakfast establishments fall under a different regulation.

Mr. Freiling stated that if the lights are incompatible with the *Design Review Guidelines*, going through ARB review process gives the applicant the impression that their request may be approved when it cannot.

Mr. Hertzler asked if this would include any landscape lighting, and Mr. Nester replied that landscaping plans are reviewed as part of the site plan review process. Mr. Hertzler noted that lighting increases as one travels up Richmond Road, and his opinion as a landscape architect is that less is more and we need to take a minimal approach. The corridor could look a lot better at night if we used the Merchants Square area as our model.

It was pointed out that lighting plans are reviewed by City police following safety guidelines and that these standards are different for the historic area. The goal is for lighting to provide safe but unobtrusive illumination. The Zoning Ordinance controls lighting on private property but street lighting is a separate issue not controlled by the Zoning Ordinance.

Recorded vote on the motion:

| | |
|---------|---|
| Aye: | Smith, Freiling, Scruggs, Hertzler, Friend, Davis |
| No: | None |
| Absent: | Young |

OPEN FORUM

Chairman Davis opened the Open Forum portion of the meeting encouraging comments from the audience on any topic.

There being no comment the Open Forum portion of the meeting was closed.

SITE PLANS AND SUBDIVISIONS

SPR #09-02 was approved under the consent agenda.

OLD BUSINESS – None

NEW BUSINESS – None

OTHER

Beautification Awards Program

Commissioner Smith reminded the Commission and audience that the Second Annual Beautification Awards Program is accepting applications until July 1. She noted that there will be five categories this year: Neighborhoods, Businesses, established and new, Service Clubs and Organizations, Individuals, and Institutions. Nomination forms can be picked up at the Chamber of Commerce building, Williamsburg Regional Library, or in the Planning Department. Anyone can nominate someone, but the nominee must be within the City of Williamsburg city limits. Winners will be acknowledged at the September 18 Planning Commission meeting.

INFORMATION ITEMS

Report from City Council was received.
Planning Department Monthly Report was received.
Monthly Financial Statement was received.
Capital Improvement Plan was received.

PUBLIC HEARINGS SCHEDULED FOR JUNE 19, 2002

None

The meeting adjourned at 4:00 p.m.

Marguerite Davis, Chairman
Williamsburg Planning Commission